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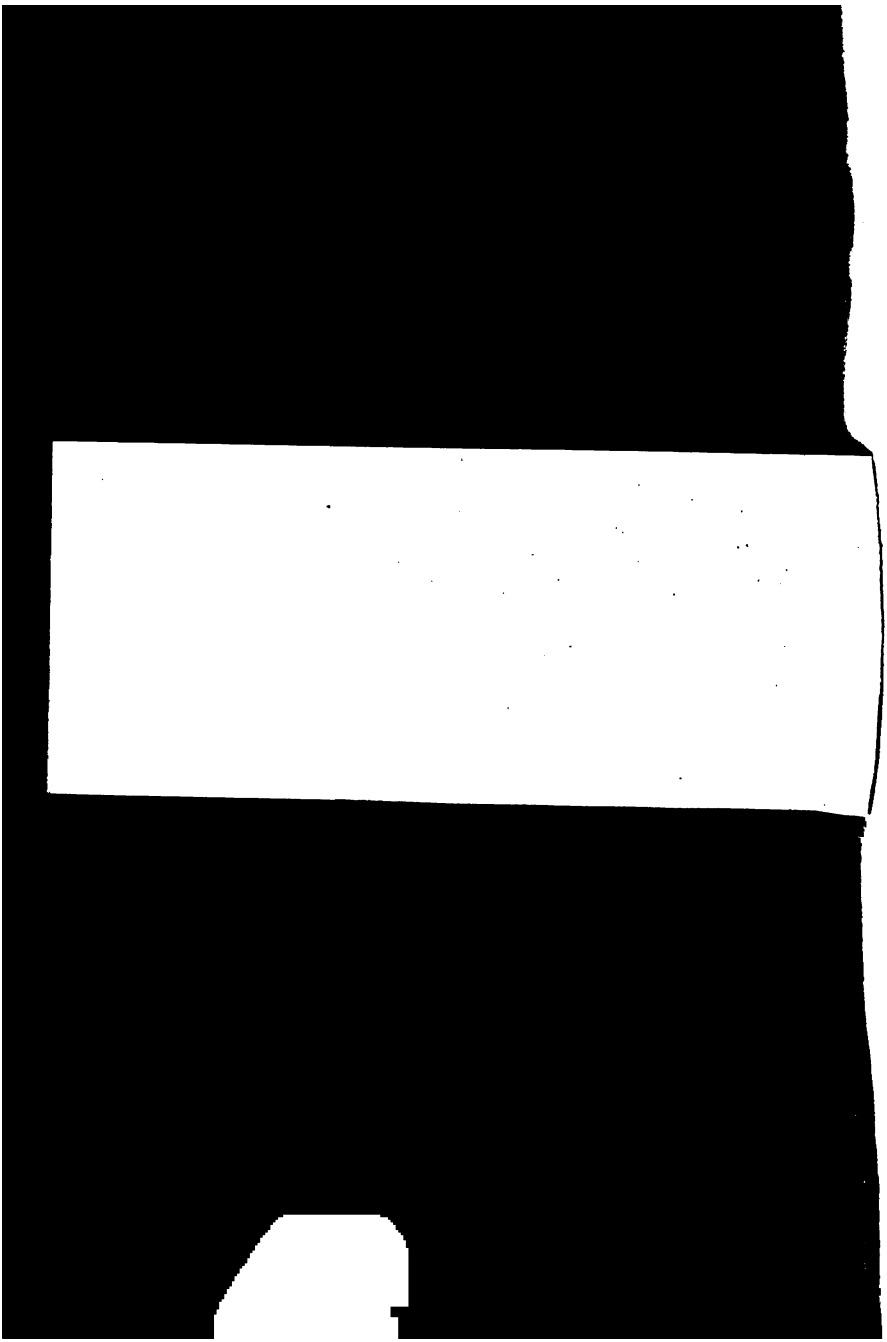

# Thomas Jefferson.

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# Thomas Jefferson

THE

## Man of Letters

BY

LEWIS HENRY BOUTELL

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## THOMAS JEFFERSON.

THE visitor at Monticello finds inscribed on the granite obelisk that marks the grave of Thomas Jefferson the following words: "Here was buried Thomas Jefferson, author of the Declaration of American Independence, of the Statute of Virginia for religious freedom, and Father of the University of Virginia."

As this epitaph, found among Jefferson's papers after his death, was composed by himself, it shows what acts of his life he looked back upon with most pleasure, and deemed most worthy of enduring fame. Pondering these words, we naturally ask ourselves did Jefferson form a correct estimate of himself and

his work? The three acts with which he desires his name to be forever associated are those which mark the beginning and the close of his career, and which render him illustrious, not so much as a statesman, as a man of letters. The long period of middle life from 1779 to 1809, from the beginning of his term as Governor of Virginia to the close of his eight years' presidency, was largely a period of conflict,—disappointment and failure alternating with success and gratified ambition. As to the value of his services during this period men have differed greatly; but his early manhood, and his closing years, the dawn and the setting of his life, form a pleasing picture, upon which men will always love to linger.

In the famous Congress of 1776 Jefferson was one of the youngest members, being at that time thirty-three years of age. How did it happen that so young

a man was placed on the committee to prepare the Declaration of Independence, and was requested by the other members of that committee, such men as Franklin, Adams, Sherman and Livingston, to write that important document? It was partly the result of accident. The resolution of the Virginia Legislature, requesting Congress to declare the American Colonies independent of Great Britain, was presented to Congress by Richard H. Lee. From that fact, and from his high reputation as a revolutionary orator, Lee would naturally have been placed on the committee to prepare the Declaration of Independence. But being suddenly called home by the sickness of his wife, Jefferson was selected to represent Virginia on that committee. Being upon the committee he was chosen to write the Declaration from the skill he had shown in drawing similar instruments. Let us briefly glance at the training which fitted him for this important task.

When Jefferson was fourteen years of age his father died. He was a man of great strength of character, and made up for the deficiencies of an early education by devoting his evenings to a diligent study of the best English authors. He took special pains with the physical and mental training of his oldest son, Thomas, and at his death not only left him a handsome property, but provided that he should receive a thorough classical education. The son honored the father's memory by a scholarly diligence, which made him one of the most learned Americans of his time, and which was the source of the purest pleasures of his long and eventful life. He often said "that if he was to decide between the pleasures derived from the classical education which his father had given him, and the estate left him, he would decide in favor of the former."

As a scholar he showed equal aptitude

for mathematics and the classics. It is a singular fact that his taste for mathematics was strongest in his youth, while his taste for the classics was strongest in his old age. He had a passion for all sorts of knowledge. His favorite poets were among the classics, Homer, the Greek dramatists, and Horace; among the moderns, Tasso, Moliere, Shakspeare, Milton, Dryden, Pope, and the English ballad, pastoral and lyric writers. He had little taste for novels, "Don Quixote" being the only one he ever read a second time, or ever very keenly relished.

After receiving a thorough preparatory training in Latin, Greek and French, from the clergymen of his neighborhood, he entered the college of William and Mary, at Williamsburg, then the seat of the Colonial Court. Through his mother's relatives, the Randolphs, one of the most influential families in Virginia, he was introduced at once to the best society of

the Capital. With a passion for fine horses and for playing the violin, to which, for several years, he devoted three hours a day, there was danger that he would become a man of fashion rather than a scholar. From this he was saved by the friendship of Dr. William Small, Professor of Mathematics at William and Mary, and *ad interim* Professor of Philosophy. Of this teacher, who supplied the place of a father, and was at once "guide, philosopher and friend," he said, in after life, that it was Dr. Small's instruction and intercourse that "probably fixed the destinies of his life."

Through Dr. Small, Jefferson made the acquaintance of George Wythe, one of the leading lawyers of Virginia, and of Gov. Fauquier, whom Jefferson calls "the ablest man who ever filled that office." With these accomplished men Jefferson was accustomed to meet at the table of the Governor.

"At these dinners," Jefferson wrote in 1815, "I have heard more good sense, more rational and philosophical conversation, than in all my life besides. They were truly Attic societies." In this stimulating intercourse he developed that talent for conversation which, throughout his life, was such a charm and power, and which perhaps more than compensated for the gift of oratory which was denied him.

This delightful social intercourse had one drawback. With all Gov. Fauquier's accomplishments he had some serious faults. He was a reckless gambler and a disciple of Shaftesbury and Bolingbroke. Some have thought that from him Jefferson derived his skeptical notions. However that may be, he managed to escape the vice of gambling on the principle of total abstinence. He never learned to distinguish one card from another, and it is said card playing was never permitted

in his house. It is a curious fact, in this connection, that in his old age, when burdened with debt, he should have asked the Legislature of Virginia to pass an act to enable him to dispose of his property by a lottery.

Soon after leaving college, Jefferson commenced the study of law with George Wythe, at Williamsburg, and after five years of diligent study with this eminent jurist, he was admitted to the bar in 1767, when he was twenty-four years of age. The strong anti-slavery principles of Mr. Wythe must have exerted no slight influence on his susceptible pupil, though the pupil did not, like his teacher, emancipate his slaves.

While a law student at Williamsburg, on the 30th of May, 1765, Jefferson, standing in the lobby of the House of Burgesses, listened to Patrick Henry's great speech on the Stamp Act. From that time Jefferson acted with the most advanced of the revolutionary leaders.

Among those who exerted a marked influence on Jefferson's early years was his oldest and favorite sister Jane. She was three years his senior, and was a woman of superior understanding and great elevation of character. She was his constant companion when he was at home, and a sympathizing friend to whom he unlocked his heart. She was a "singer of uncommon skill and sweetness, and both were particularly fond of the solemn music used by the Church of England in the Psalms." She died in the fall of 1765, at the age of twenty-five. He cherished her memory with the warmest affection to the close of life.

For seven years Jefferson continued in the successful practice of the law. Owing partly to a defect in his voice,—a tendency to become husky when speaking above the ordinary tone of conversation,—and partly to a dislike of controversy, he never became an advocate, but devoted

himself mostly to chamber practice. His writings display great familiarity with the history of the law, and a strong taste for its antiquities.

To a young man of Jefferson's tastes, with the revolutionary eloquence of Patrick Henry ringing in his ears, the law was but a stepping-stone to a political career. Two years after his admission to the bar he was chosen a member of the House of Burgesses. He signalized his entrance upon political life by introducing a bill giving owners the right to emancipate their slaves. The bill was defeated, and the right was not given until 1782.

In the summer of 1774, Jefferson was elected a member of the convention at Williamsburg, which was to choose delegates to a general congress of all the Colonies. While on his way to this convention he was taken ill, but before leaving home he had prepared a draft of instructions to the delegates, which he

now forwarded to the convention. It was a long document, giving, in great detail, a history of the relation of the Colonies to Great Britain, setting forth the acts of oppression of the King and Parliament, and containing an elaborate legal argument on the rights of the Colonies, especially emphasizing the point that the Colonies, while subject to the King, were independent of Parliament. The convention did not adopt this document, but ordered it to be printed. It immediately attracted attention in this country and in England, and the English Whigs published it with some alterations, under the title of "A Summary View of the Rights of British America."

This paper at once brought Jefferson into notice as a political writer.[1] It also secured for him the honor of being included in a bill of attainder with such men as Hancock, the two Adamses, Patrick Henry and Peyton Randolph.

On the 1st of June, 1775, the Governor of Virginia convened the House of Burgesses to take into consideration Lord North's conciliatory proposition. As the assembling of the House of Burgesses withdrew Peyton Randolph, the Speaker of the House, from Congress, Jefferson was chosen to succeed him. But before he left, he was selected to prepare the reply of Virginia to this proposition. On the 21st of June, 1775, he took his seat in Congress, bringing with him this reply.

Of Jefferson's arrival in Congress, John Adams says: "Mr. Jefferson came into Congress in June, 1775, and brought with him a reputation for literature, science, and a happy talent of composition. Writings of his were handed about, remarkable for the peculiar felicity of expression." The writings thus referred to were the "Summary View of the Rights of British America," and the reply to Lord North's proposition.

Five days after Jefferson took his seat in Congress he was placed on a committee to prepare a declaration of the causes of taking up arms. He prepared a draft which proved unsatisfactory to Mr. Dickinson, a prominent member of the committee. So Mr. Dickinson prepared a draft, which was recommended by the committee, and adopted by Congress.

On the 22nd of July, 1775, Jefferson was put on the committee to report on Lord North's conciliatory proposition. At the request of his colleagues, Franklin, Adams and R. H. Lee, he prepared the report, which was substantially like the one he had prepared for Virginia, and which was adopted by Congress July 31st, 1775.

So that when the time came to prepare the Declaration of Independence, Jefferson was a practiced revolutionary writer. No member of Congress had a higher reputation than he for that kind of literary work.

The Declaration, as drawn by Jefferson, was very considerably modified by Congress. Not only were words and sentences changed, but about one-fourth of the entire matter was stricken out. These changes generally improved the paper, making it not only briefer, but simpler, more exact, and more dignified.

One of the most important changes was striking out the paragraph relating to the slave trade. As some of the Colonies had been very glad to receive the slaves, and others had themselves engaged in the slave trade, the fact that England had brought slaves here hardly seemed to justify rebellion against the mother country.

Another important passage which was stricken out was that in which, while recognizing our allegiance to the King of England, it was denied that Parliament had any power over us. In his autobiography Jefferson claims that he had entertained this view from the first, and that

Mr. Wythe was the only person who agreed with him. It seems strange that Jefferson should have fallen into the error of supposing this view peculiar to himself. When Parliament, after the peace of 1763, set up the claim to unlimited power over the Colonies, it was met by the counter claim that the Colonies were independent of Parliament. But while this view, as a theoretical speculation, was held by many leading men in the country, the historical fact was also clearly recognized that, from the first, Parliament had exercised a control over the Colonies in commercial matters. Though the manner in which this control was exercised was at times complained of as oppressive, the right to exercise it was admitted in all the state papers put forth by the colonial congresses of 1765, 1774 and 1775. In these famous documents, in which the rights and the grievances of the Colonies were so ably stated, the colonists, with true

English instinct, placed themselves, as their ancestors in England had done before them in their struggles for liberty, on historical ground. They rebelled, not because of the commercial restrictions to which they had always submitted, but because Parliament had undertaken to exercise a new power over them, to tax them without their consent. They rebelled, not because Parliament had interfered with their natural rights as men, but because it had interfered with their historical rights as Englishmen. To have retained in the Declaration of Independence Jefferson's statement that the Colonies were independent of Parliament, would have been to contradict the most solemn declarations of Congress for the two preceding years.

Edmund Burke, in his great speech on American Taxation, showed that he understood the Americans perfectly when he pointed out that they were contending

for liberties based, not on metaphysical speculations, but historical facts. "Again and again," he said in his appeal to Parliament, "revert to your old principles,—seek peace and ensue it,—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinction of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions in contradiction to that good old mode, on both sides, be extinguished forever. Be content to bind America by laws of trade. You have always done it. Let this be your reason for binding their trade. Do not burden them by taxes—you were not used to

do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools, for there only they may be discussed with safety."

Eight years before this famous speech of Burke's, Benjaman Franklin had expressed substantially the same views, in his examination before the House of Commons, in reference to the repeal of the Stamp Act.

That Jefferson, in justifying the action of the colonists, should have thought more of metaphysical rights than historical facts, illustrates one of the marked features of his character. He was often more of a doctrinaire than a practical statesman. He reminds us of the words which Burke applied on a certain occasion to Chatham: "For a wise man he seemed to me at that time to be governed too much by general maxims."

It is, however, undoubtedly true, that

the attractive part of the Declaration, to men of post-revolutionary times, has been, not the recital of the wrongs of the Colonies, but the statement with which the Declaration opens, of the rights of men in civil societies, and the violation of those rights which justify rebellion.

There is barely time, in this connection, to refer to that curiosity of literature known as the Mecklenburg Declaration of Independence. On the 30th of April, 1819, some forty-three years after Jefferson's Declaration was written, there appeared in the Raleigh (N. C.) *Register* what purported to be a Declaration of Independence, drawn up by the citizens of Mecklenburg County, North Carolina, on May 20th, 1775. As this was nearly fourteen months before the Colonies declared their independence, and as many of the expressions in the Mecklenburg paper bore a striking resemblance to Jefferson's expressions, it excited a good

deal of curiosity, and led to a discussion which has been continued to the present day. Those desirous of seeing the arguments pro and con, put in their latest and best form, will find them in two articles in the *Magazine of American History*, in the January and March numbers of 1889. It is sufficient here to say that there was found among the British State papers, as well as in contemporaneous newspapers in this country, the original Mecklenburg paper, which was not a Declaration of Independence at all, but simply patriotic resolutions similar to those which were published in most of the Colonies at that time. And so the Mecklenburg Declaration takes its place with the stories of Pocahontas and of William Tell.

The Statute of Virginia for religious freedom formed only one of a body of laws drawn up by a committee for revising the laws of Virginia, composed of Jefferson, George Wythe and Edmund Pen-

dleton. It was not more important than many other laws of a reformatory character introduced by Jefferson in the Virginia Legislature. But Jefferson always prided himself on the liberality of his religious views. Religion, he was accustomed to say, was a matter simply between man and his Maker, with which others should not interfere.

To such an extent did he carry these views that he would not attempt to influence the religious belief of his own children. They did not know, till late in life, what was the religious belief of their father. Then they discovered that he was what would be called to-day a radical Unitarian. An amusing illustration of the inconsistency which Jefferson so often exhibited between theory and practice occurred in reference to his oldest daughter. When he went to Paris, he placed her at school in a convent. After a time, she wrote to him of her desire to become a

damental principle of which was to set the narrowest possible limit to the powers of the general Government. It was at all times the party favoring a strict construction of the provisions of the Constitution. Here it occupied legitimate constitutional ground. But in its advocacy of State Rights, it began with the nullification resolutions of Kentucky, and ended with secession and civil war.

Jefferson has been called the Father of American Democracy. In organizing the democratic party, however, he was a follower rather than a leader of public sentiment. The fact is, that when the Constitution was adopted, the opposition to it was so strong that it was believed that a majority of the people were not in favor of it. In Virginia especially this opposition was very decided, and that state would probably have rejected the Constitution but for the personal influence of Washington. When Jefferson returned to

this country from his French mission, he saw at a glance that the trend of public sentiment was toward State Rights, and a strict construction of the Constitution. These views undoubtedly accorded with his own tendencies, for, as he said of himself, he was "not a friend to a very energetic government." Indeed some of his expressions on this point have a touch of extravagance that would seem comic if Jefferson had possessed any sense of humor. For instance, in speaking of the North American Indian, he said: "The only condition on earth to be compared with ours, in my opinion, is that of the Indians, where they have still less law than we." On another occasion he says: "Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

The most fantastic notion of Jefferson's,

which can only be called a craze, was that one generation cannot contract obligations which shall be binding on the next. Even Madison, with his keen logic, could not drive this crotchet from his head. Almost as absurd was Jefferson's plan for a constitutional amendment to prevent the general Government from borrowing money.

Fortunately the possession of power developed in Jefferson, as it has so often done in others, the saner and more conservative qualities of character. As President the power of the general Government was not only preserved unimpaired, but in the purchase of Louisiana, the wisest act of his administration, was stretched beyond all former limits. This measure was carried through, in spite of the fact that Jefferson declared that he thought it unconstitutional, and that an amendment of the Constitution should be made to ratify it.

The contrast between the radical utterances of Jefferson at one time, and his conservative action at another, has made his character a very difficult one to understand. While his actions were often wiser than his words, in some cases his words were wiser and better than his actions.

This was especially the case in reference to slavery. No man denounced this institution more strongly than did Jefferson, and yet he opposed the Missouri Compromise, because it attempted to check the spread of slavery, claiming that the carrying of slaves to new territories would ameliorate their condition. He could see nothing in those who attempted to prevent slavery from spreading into the new territories but a selfish and sectional spirit.

From the close of his second presidential term in 1809, to the end of his life, in 1826, Jefferson lived in retirement, devoting himself principally to educational matters, and especially to the founding of the University of Virginia.

The seventeen years spent by Jefferson in retirement at Monticello were among the happiest of his life. They were certainly not the least useful. Here he gave himself up to those pleasures for which through life he had so ardently longed,—the cultivation of his farm and garden, the freshness and freedom of the woods, the mountains and the fields. Here, with a more than Virginian hospitality, he entertained all comers. He welcomed to his table La Fayette and Webster and Ticknor. He corresponded with the most eminent men in literature and science at home and abroad. Here he mingled in the sports of his grandchildren, or mused on the tale of Troy divine. From this mountain home he looked out upon a landscape of surpassing loveliness,—the summits of the Blue Ridge, the Rivanna flowing past the home of his childhood, the broad plain to the south and east, which stretches on and on to the sea,

the solitary mountain, in shape and size like the great pyramid of Egypt, which rises from the midst of the plain forty miles away. To the west he looked down upon the city of Charlottesville, by the side of which he was at last permitted to behold the pavilions and colonnades of the University, and, towering above them all, the Pantheon-like dome of the library beneath which, in after years, was to stand a statue of himself, as the presiding genius of the place.

These years at Monticello, though happy, were by no means idle. In a letter to Dr. Utley, he says: "I was a hard student until I entered on the business of life, the duties of which leave no idle time to those disposed to fulfill them; and now retired at the age of seventy-six, I am again a hard student. * * * I am not so regular in my sleep as the Doctor (Rush) says he was, devoting to it from five to eight hours, according as my

company or the book I am reading interests me; and I never go to bed without an hour or half an hour's previous reading of something moral, whereon to ruminate in the intervals of sleep. But whether I retire to bed early or late, I rise with the sun." The moral reading of which he was fondest was a volume of extracts, made by himself, from the gospels, of the words of Jesus.

Jefferson was parsimonious of his time. "No person," he said, "will have occasion to complain of the want of time who never loses any. It is wonderful how much may be done if we are always doing."

It was in these last years that he renewed his friendship with John Adams, and carried on a correspondence with him of remarkable interest. His letter on the true method of Greek pronunciation, giving his reasons for believing that the pronunciation of the modern Greeks is in the main the nearest approach to the pronun-

ciation of the ancient Greeks that we can ever hope to make, is very ingenious and scholarly. Other letters, especially those to Edward Everett, on grammar and style and the ablative case in Greek, show how strong was the scholarly instinct in him to the close of his life. In one of his charmingly garrulous letters to Adams he writes: "I have given up newspapers in exchange for Tacitus and Thucydides, for Newton and Euclid, and I find myself much the happier."

One work which he looked forward to with interest, on his retirement from public life, was the publication of his Indian vocabularies which he hoped would prove a valuable contribution to the science of ethnology. "I have long considered," he wrote to Prof. Vater, at Konigsberg, "the filiation of languages is the best proof we can ever obtain of the filiation of nations." The origin of the North American Indians, their connection, if any, with other na-

tions, and with one another, were questions in which he always took a lively interest. "Very early in life," he writes, "I formed a vocabulary of such objects as, being present everywhere, would probably have a name in every language; and my course of life having given me opportunity of obtaining vocabularies of many Indian tribes I have done so on my original plan." In the course of thirty years he had collected fifty such vocabularies. It was his intention, he said, "on retiring from public business, to have digested these into some order so as to show not only what relations of language existed among our own aborigines, but by a collation with the great Russian vocabulary of Europe and Asia, whether there were any between them and the other nations of the continent." Unfortunately on his removal from Washington, in 1809, the package in which this collection was sent by water was stolen and destroyed.

The fact that on his retirement from public life he returned, in his old age, with all the enthusiasm of youth to the reading of the classic authors, and that in the last years of his life the books most often in his hands were Homer and the Greek tragedians, shows the estimate he placed on classical learning. But in a letter to John Brazier, written in 1819, his views on this subject are set forth at length.

"You ask my opinion," he writes, "on the extent to which classical learning should be carried in our country. * * * The utilities we derive from the remains of the Greek and Latin languages are, first, as models of pure taste in writing. To these we are certainly indebted for the rational and chaste style of modern composition which so much distinguishes the nations to whom these languages are familiar. Without these models we should probably have continued the inflated style

of our Northern ancestors, or the hyperbolical and vague one of the East. Second: among the values of classical learning I estimate the luxury of reading the Greek and Roman authors in all the beauties of their originals. And why should not this innocent and elegant luxury take its preeminent stand ahead of all those addressed merely to the senses? I think myself more indebted to my father for this than for all the other luxuries his care and affection have placed within my reach; and more now than when younger, and more susceptible of the delights from other sources. When the decays of age have enfeebled the useful energies of the mind, the classic pages fill up the vacuum of ennui and become sweet composers to that rest of the grave into which we are all sooner or later to descend. A third value is in the stores of real science, deposited and transmitted us in these languages, to wit: in history, ethics, arith-

metic, geometry, astronomy, natural history, etc.

"But to whom are these things useful? Certainly not to all men. There are conditions of life to which they must be forever estranged, and there are epochs of life, too, after which the endeavor to attain them would be a great misemployment of time. Their acquisition should be the occupation of our early years only, when the memory is susceptible of deep and lasting impressions, and reason and judgment are not yet strong enough for abstract speculation."

After pointing out the usefulness of the classics to professional men, and the fact that to the merchant, the agriculturist, and the mechanic the ancient languages are not necessary, and are but an ornament and comfort, he closes with these words: "To sum the whole, therefore, it may truly be said that the classical languages are a solid basis for most and an ornament to all the sciences."

"In the destruction of the public buildings at Washington by the British troops, on the 24th of August, 1814, the congressional library was burned. Jefferson immediately offered his own library to Congress, leaving them to fix the price. In his letter to Samuel H. Smith making this offer he says of his collection of books: "I have been fifty years making it, and have spared no pains, opportunity or expense to make it what it is. While residing in Paris I devoted every afternoon I was disengaged, for a summer or two, in examining all the principal book-stores, turning over every book with my own hand, and putting by everything which related to America, and indeed whatever was rare and valuable in every science. Besides this I had standing orders, during the whole time I was in Europe, on its principal marts, particularly Amsterdam, Frankfort, Madrid and London, for such works relating to America as could not be

found in Paris. So that, in that department particularly, such a collection was made as probably can never again be effected, because it is hardly probable that the same opportunities, the same time, industry, perseverance and expense, with some knowledge of the bibliography of the subject would again happen to be in concurrence. During the same period, and after my return to America, I was led to procure also whatever related to the duties of those in the high concerns of the nation; so that the collection, which I suppose is of between nine and ten thousand volumes, while it includes what is chiefly valuable in science and literature generally, extends more particularly to whatever belongs to the American statesman. In the diplomatic and parliamentary branches it is particularly full. * * * Nearly the whole are well bound; abundance of them elegantly; and of the choicest editions existing."

Congress accepted this handsome offer, and paid Jefferson about twenty-four thousand dollars for the library. Although this was only about one-half of the original cost of the books, the price was made to conform to Jefferson's wishes.

Jefferson began his efforts for the improvement of education in his native state in 1779, when he introduced into the General Assembly of Virginia a bill for the more general diffusion of knowledge. In that bill he provided for elementary, secondary, and higher education. For the first, the state was divided into townships or hundreds, and all the poor children were to have free instruction for three years in reading, writing and arithmetic. Two things are noticeable in this provision for common schools. Girls as well as boys were to be admitted to these schools, in which provision he was so far in advance of his time, that even Boston did not permit girls to attend her public

schools until ten years after that date. Another striking provision in reference to these schools was that reading should be made the vehicle for historical instruction. The bill enjoins that "the books which shall be used therein for instructing the children to read shall be such as will at the same time make them acquainted with Grecian, Roman, English and American history."

For the secondary education, the bill provided that academies or colleges should be established in every three or five counties throughout the state, where the instruction should be such as would prepare the students for entrance to the state university. A novel provision for the education of poor but promising boys was this: The overseers of the common schools were to select annually the best and most promising genius, whose parents were unable to afford him further education, and this boy was to be sent to

the nearest grammar school to be educated gratis for one or two years. At an annual visitation, one-third of the least promising of these public foundationers were to be dismissed after one year's instruction; the rest were to remain for a second year at public cost, and then all were to be dismissed, or thrown on their own resources, save one only, the best in genius and disposition, who should be at liberty to continue there four years longer on the public foundation, and should thenceforward be deemed a senior. After six years public training, one-half of this picked number was to be dismissed for the supply of Latin school teachers, and the other half of superior genius were to proceed to William and Mary College for three years specialization in such sciences as they might select. By this ingenious process of selection, Jefferson would have provided for the highest education of the poorest boys who exhibited the requisite talents and industry.

These plans were never realized. But Jefferson succeeded, after years of toilsome effort and patient waiting, in establishing a state university, in which his favorite ideas in reference to higher education were fully realized, and which remains, and will remain through all coming time, the noblest monument to his genius and character.

At first Jefferson thought that by modifying the constitution of his *Alma Mater*, William and Mary College, it might be made into a state university such as he desired. But this idea was soon abandoned. That college was in an unhealthy location, far removed from the center of population, and was too thoroughly under the influence of the Episcopal church to suit Jefferson's tastes. Charlottesville had the advantage of being in a healthy and beautiful location, and near the center of population. It met with strong competitors in Staunton, and in Lexington, where

Washington College was located. But the personal influence of Jefferson and the indefatigable labors of his friend, Joseph Carrington Cabell, carried the day in favor of Charlottesville.

One great source of Jefferson's power was the fascinating influence he exerted over young men. This influence was never exerted to better purpose than when he enlisted the services of Cabell in the cause of higher education in his native state. This accomplished young man was a graduate of William and Mary College in 1798, and afterward studied at Williamsburg with Judge Tucker. He went to Europe in 1803 for his health. For three years he devoted himself to study at the leading universities of Europe,—Paris, Rome, Naples, Padua, Leyden, Cambridge and Oxford. Educational methods were the principal object of his inquiry. In 1806, then twenty-eight years old, he arrived in Washington with let-

ters of introduction to President Jefferson. The President was so much pleased with him that he offered him various positions in the civil and in the diplomatic service. Cabell declined them, as he preferred to identify himself with the interests of his native state. Becoming interested in a project for establishing a museum of natural history at William and Mary, he wrote to Jefferson for aid. The reply, written by Jefferson's private secretary but doubtless inspired by Jefferson, contained a passage which determined his future course. "If the amelioration of education and the diffusion of knowledge be the favorite objects of your life, avail yourself of the favorable dispositions of your countrymen, and consent to go into our legislative body. Instead of wasting your time in attempting to patch up a decaying institution, direct your efforts to a higher and more valuable object: found a new one which shall be worthy

of the first state in the Union. This may, this certainly will, one day be done, and why not now? You may not succeed in one session, or in two, but you will succeed at last."

Guided and inspired by these words, Cabell entered Virginia politics, became a member of the House of Delegates in 1809, and two years later was elected to the State Senate where he remained nutil 1829. With a tact and energy and zeal that overcame all obstacles, he carried through the legislation necessary to the successful establishment of the university. The cause of higher education in Virginia never had a more intelligent or devoted friend.

It would have been impossible, at that time, to establish the University of Virginia without state aid. Fortunately a bill was passed in 1810 appropriating certain escheats, penalties and forfeitures to the encouragement of learning. Thus

was created what was called the literary fund. This fund was a few years afterward increased by adding to it the debt due to Virginia from the Government of the United States for expenses incurred in the War of 1812. So that when the time arrived for erecting the building of the university this literary fund amounted to quite a large sum. The difficulty was to get this fund appropriated to building up a university. It was thought by many then, and the idea has by no means died out yet, that such a use of state monies was undemocratic. The money of the state, it was said, should only be used for the support of common schools, and those who desired the benefits of the higher education should pay for it. But Jefferson had the good sense to perceive, and the manliness to point out, the fallacy of those so-called Democratic notions. He told the men of Virginia that common schools should be supported by local

taxes, that state aid would only pauperize and degrade them; but that a university could never be sustained by the fees of the students. As an educated class was essential to the welfare and prosperity of the state, it was proper that the state should give its aid to those institutions by which alone that education could be provided.

In a report to the Virginia Legislature, Jefferson said: "Some good men, and men of respectable information, consider the learned sciences as useless requirements; some think that they do not better the condition of man; and others that education, like private and individual concerns, should be left to private individual efforts, not reflecting that an establishment embracing all the sciences which may be useful and even necessary in the various vocations of life, with the buildings and apparatus belonging to each, are far beyond the reach of individual means,

and must either derive existence from public patronage, or not exist at all. This would leave us then without those callings which depend on education, or send us to other countries to seek the instruction they require."

Slowly but steadily these views prevailed. On the 25th of January, 1819, the bill passed for the establishment of the University of Virginia. The management of its affairs was in a board of seven Visitors, appointed by the Governor for four years. The Visitors were to choose one of their own members as Rector. Jefferson held this office during his life. Among his first associates were James Madison and Joseph C. Cabell. Six years were devoted to the construction of the buildings of which Jefferson was both architect and superintendent of construction. After an expenditure of about $400,000 for land and buildings, the university was open for the reception of students, April 1st, 1825.

From that day to this the university has been conducted substantially on the lines marked out by Jefferson. It was to be a university in the European sense of the word, and not an American college. There was, therefore, no curriculum, no course of study prescribed. Each student selected such studies as he wished to pursue, and continued those studies for as long or short a time as he pleased. At the end of his studies, he received a certificate of proficiency in the studies he had pursued, if he passed the requisite examination. As a result of this system the university was made up of a group of schools, each independent of the other; at first there were eight schools; there are now nineteen, at which are taught not only the studies of an academic or scientific course, but the professional studies of law, medicine, civil engineering and agriculture. There is no school of theology.

For the first seven years there were no religious services in the university. But, as I learned from Dr. John B. Minor, the venerable senior professor in the law school, the chaplaincy was instituted in 1832, when he was a student in the college. It originated in the feeling on the part of both the faculty and the students that the university should have religious services of its own. Since 1832 there has been preaching at the university twice every Sunday, and since 1847, daily morning prayers. The attendance of the students is voluntary. The salary of the chaplain, varying from fifteen hundred to two thousand dollars a year, is principally derived from the voluntary contributions of the students. The chaplain is chosen every two years, by the faculty, from one of the four principal denominations of the state—the Episcopal, Presbyterian, Methodist and Baptist—in regular rotation. Prof. Minor, as I was

informed by one of his former pupils, has a Bible-class in his lecture-room every Sunday, conducted with the same thoroughness with which he conducts his law lectures on the other days of the week.

A Young Men's Christian Association was established at the university in 1858. It is the oldest of the college associations. Several mission schools in the neighborhood of the university are under its management. A beautiful stone chapel has recently been erected near the rotunda, through the efforts of the wives of the professors.

At first no degrees were conferred, but that has been changed, and degrees of various kinds for proficiency in certain studies are given. But no honorary degree is ever conferred.

Of course such a system was only adapted to students sufficiently mature to be able to decide for themselves the course they wished to pursue. It has

worked well in this university, as the average age of the students who enter the academic course is nineteen; and of the students entering the professional schools, it is twenty-one.

The faculty meet together to decide on matters of common interest, but each professor has the entire control of the methods of study in his own school. Each year the Board of Visitors select from the faculty one to act as Chairman. At first the professors were paid a small salary and were allowed, in addition, tuition fees, as the students were to pay separate tuition fees for each school with which they were connected. This system has been abandoned and the professors are now paid a fixed salary of $3,000 each.

In selecting the first professors great pains were taken to get the ablest men in their several departments. Five were brought from England, some of them of such eminence that in a few years they were recalled to English universities.

The system of self-government among the students was adopted from the first and has on the whole proved very successful. There are two examinations a year. Each student appends to his examination paper a pledge that he has neither given nor received any assistance during the examination, which pledge is most rigidly observed, as a point of honor, by all the students. Prof. J. M. Garnett says: "I have never known personally of but one violation of this pledge, and in that case a committee of his fellow-students waited upon the offender and informed him that he must leave the university, which he did forthwith. I have heard that a few similar cases have occured in the history of the university which were similarly treated."

The statistics of the university show that one-half of the students remain for only one year, and over one-fourth remain for only two years. But the uni-

versity has been of inestimable advantage to Virginia, and to the South in general, in keeping a high standard of scholarship before their young men. Besides its training of professional men it has also done a great deal for the cause of secondary education, in furnishing competent teachers for the academies of the South.

The session of the university extends from the first day of October to the Wednesday before the fourth day of July, with only a recess of one day at Christmas. Sundays excepted, every day in the week, including Saturdays, is a working day. So that there are about two hundred and thirty-two working days in each session, which exceeds, it is believed, the number of working days in any college in the world.

The university reached its highest prosperity in the ten years from 1850 to 1860, when there were six hundred students in attendance at its various schools.

It suffered greatly during the Civil War; but since then it has received large gifts from Northern men, notably its observatory and telescope from Leander J. McCormick of Chicago, a native of Virginia. The present number of students is four hundred and seventy-two.

In introducing the study of Anglo-Saxon, Jefferson was greatly in advance of his times. In attempting to guard against the teaching of any political doctrines at variance with his own, he showed a narrowness strongly in contrast with the liberality of his views on other topics.

Jefferson lived but little over a year after the opening of his university, but the dream of his youth was at last realized. Whatever else might happen to his fame, here was a monument that would endure. In the few months of life that remained to him Jefferson watched over the university with a fatherly interest. He was a constant visitor at its halls, and

to it, as to a sacred shrine, he conducted his most distinguished guests. In the rotunda of the library was given the farewell banquet to La Fayette. Three times a week the professors were invited to Monticello. Once every week a party of students were his guests. To have spent an evening in that gracious presence, listening to that charming conversation; to have grasped the hand of that venerable man, laden with all the honors his country could bestow, yet seeming to prefer the scholar's wreath to all civic crowns, this of itself was a liberal education.

Fortunate in his death, as in his life, the spirit of Jefferson passed away on the Fourth of July, 1826, as millions of freemen, all over the land, were greeting with exultant shouts the words of the Declaration of Independence, and the name of its illustrious author. If any sounds could have been dearer to him, they would have been the voices of

the young students, greeting him as the Father of the University of Virginia, as they bade him hail and farewell.

# NOTES.

## I.

### JEFFERSON'S MONUMENT.

In the "Domestic Life of Thomas Jefferson," by Sarah N. Randolph, his great-granddaughter, we are told:

"Among his papers there were found, written on the torn back of an old letter, the following directions for his monument and its inscription: 'Could the dead feel any interest in monuments or other remembrances of them, when, as Anacreon says:

*Ὀλίγη δὲ κεισόμεθα*
*Κόνις, ὀστέων λυθέντων,*

the following would be to my *manes* the most gratifying: on the grave a plain die or cube of three feet, without any mouldings, surmounted by an obelisk of six feet in height, each of a

single stone; on the faces of the obelisk the following inscription, and not a word more:

HERE WAS BURIED
THOMAS JEFFERSON,
AUTHOR OF THE DECLARATION OF AMERICAN INDEPENDENCE,
OF THE STATUTE OF VIRGINIA FOR RELIGIOUS FREEDOM,
AND FATHER OF THE UNIVERSITY OF VIRGINIA;

because by these, as testimonials that I have lived, I wish most to be remembered. [It] to be of the coarse stone of which my columns are made, that no one may be tempted hereafter to destroy it for the value of the materials. My bust by Ceracchi, with the pedestal and truncated column on which it stands, might be given to the University, if they would place it in the dome-room of the rotunda. On the die of the obelisk might be engraved:

BORN, APRIL 2, 1743, O. S.
DIED, ——— ——— ———.'"

## II

### Authorship of the Declaration of 1775.

Until the publication of the memoirs, etc., of Thomas Jefferson in 1829, eleven years after the

death of John Dickinson, it had never been disputed that Dickinson was the author of the Declaration of the causes of taking up arms. In 1801 two volumes of Mr. Dickinson's political writings, including this Declaration, were published at Wilmington, Del., where Mr. Dickinson resided. In 1804, in a letter in reply to the mistaken assertion of Judge Marshall that the first petition to the king was written by Mr. Lee, Mr. Dickinson said of his published writings:

"This publication being made in the town where I reside, no person of understanding can doubt that I must be acquainted with the contents. Of course I must be guilty of the greatest baseness if, for my credit, I knowingly permitted writings which I had not composed to be publicly imputed to me, without a positive and public contradiction of the imputation. This contradiction I never have made, and never shall make, conscious as I am that every one of those writings was composed by me."

In the autobiography of Jefferson, which was begun, as he tells us, when he was seventy-seven years of age, Jefferson states that he prepared a draft of a declaration of the causes of taking up arms which was too strong for Mr. Dickinson.

"We therefore," he says, "requested him to take the paper and put it into a form he could approve. He did so, preparing an entire new statement, and preserving of the former only the last four paragraphs and half of the preceding one."

This statement has been accepted as true until Mr. George H. Moore, superintendent of the Lenox Library, delivered his address on this subject before the New York Historical Society, on June 6th, 1882. In that address he stated that the original draft of this Declaration was found in the manuscript collection of that society. It is not only in the handwriting of Mr. Dickinson, but, as Mr. Moore says, the "corrections, additions, interlineations, revisions, in mumber, extent, position and character, forbid the supposition that he copied any portion of this paper from a draft by Mr. Jefferson or any other person. It is the original first draft of the whole, and the proof of it is in no portion of the whole more conspicuous than in the last four paragraphs, and half of the preceding one, claimed as his own by Mr. Jefferson, in his old age, and accorded to him without doubt or hesitation ever since."

This address was printed in 1890, with a facsimile of the original draft of the Declaration. A careful study of this original draft makes it clear that the entire paper is the composition of the person in whose handwriting it is found. Until Mr. Jefferson's draft is produced, his statement as to the authorship of the closing portion of the Declaration of 1775 must be put to the account of the mistakes of old age.

## III.

### Jefferson as a Lawyer and Law Reformer.

The following extracts from a letter which I have recently received from Prof. John B. Minor, of the University of Virginia, the distinguished author of the "Institutes of Common and Statute Law," will be read with interest:

"As a practitioner of the law Mr. Jefferson had hardly time to make a distinguished figure, but from the manner in which he acquitted himself as a law-giver, I conceive that he must have mastered the elementary principles of juridical science with extraordinary proficiency and with philosophic appreciation.

"The independence of Virginia having been declared by the convention-legislature on the 29th of June, 1776, in October of the same year an act was passed, chiefly, it would seem, at the instigation of Mr. Jefferson, for a general revisal of the whole code of law, at the head of which, at the age of thirty-three, and when he had been only nine years at the bar, he was placed. The commission consisted of Thomas Jefferson, Edmund Pendleton, George Wythe, George Mason and Thomas Ludwell Lee; and its president has preserved a brief but interesting memorial of its deliberations and actions."

Then follows the account given by Jefferson in his memoirs of the plan of work agreed upon by the commission, the retirement of Mr. Mason and Mr. Lee, and the division of the work among the three remaining members. The common law and statutes to the 4 James I, when the Virginia Legislature was established, were assigned to Jefferson; the British statutes since that time to Mr. Wythe; the Virginia Colonial laws to Mr. Pendleton. The committee made their report to the General Assembly, June 18th, 1779, consisting of one-hundred and twenty-six bills, and making a printed folio of ninety pages only.

Some of the bills were taken up and passed from time to time, but the main body of the work was not taken up till 1785, when through the efforts of Mr. Madison most of the bills were passed with little alteration.

"Amongst these bills were four to which Mr. Jefferson attached special importance, namely:

1. The bill to repeal the law of entail and to convert every estate-tail then existing, or which should be thereafter created, into a fee simple.

2. The bill to abolish the law of primogeniture, and to distribute an intestates' estate of inheritance equally among his heirs, without regard to age or sex.

3. The bill to establish an unrestricted freedom of religious belief; and,

4. The bill for the general education of the people, namely:

First,—Elementary schools for all children generally, rich and poor.

Second,—Colleges for a middle degree of instruction; and,

Third,—An university for teaching the sciences generally, and in their highest degree.

"He himself says: 'I considered four of these bills, passed or reported, as forming a system by

which every fibre would be eradicated of ancient or future aristocracy, and a foundation laid for a government truly republican.'

"No bill for the emancipation of slaves was proposed by the revisors, deeming it better that it should be attempted only by way of amendment whenever the digest of the laws on the subject should be brought up. 'The principles of the amendment, however,' says he, 'were agreed on; that is to say, the freedom of all born after a certain day, and deportation at a proper age. But it was found that the public mind would not yet bear the proposition, nor will it bear it even at this day; yet the day is not distant when it must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion have drawn indelible lines of distinction between them.'

"This subject had engaged the anxious attention of the General Assembly ever since 1699. Then was commenced the series of prohibitory acts (as many as twenty-six in all), whereby it was sought to avert or discourage the further

introduction of slaves, to which the King of England, or his governors, opposed the royal negative, at the instance of those who were profitably concerned in the traffic.

"The last of these acts in 1772 was accompanied by an earnest petition to the Throne to 'remove all restraint which inhibited his Majesty's governors assenting to such laws as might check so very pernicious a commerce as that of slavery.' This petition like its predecessors was disregarded, and it seems to show the depth of the general sentiment upon the subject, that the preamble to the State Constitution of 1776 (which has also been the preamble of every succeeding constitution, as it is to the present one) complains of it as one of the acts of 'detestible and insupportable tyranny' of the King of Great Britain, that he had prompted our negroes to rise in arms among us,—'those very negroes whom, by an inhuman use of his negative, he had refused us permission to exclude by law.'

"And it is worthy of note that within two years after Virginia had become an independent state, whilst the War of the Revolution was yet flagrant, at the instance of Mr. Jefferson, who, as he tells us, introduced the bill, an act was

passed forbidding the further importation of slaves under heavy penalties;—a policy, be it remembered, in which Virginia, under the guidance of Mr. Jefferson, anticipated Great Britain and the United States by almost thirty years.'

"Thus, under Mr. Jefferson's auspices, the following achievements in legislation were wrought.

1. The abolition of the African slave trade in Virginia.

2. The prohibition of all restraints upon the freedom of religious opinion.

3. The abolition of the law of entails.

4. The abolition of the law of primogeniture, and of all distinctions of age or sex in the distribution of the lands of an intestate decedent.

5. The origination of the policy of a general education of the people, which, as to university instruction, found its consummation in his lifetime by the creation and endowment by the state, in 1819, under his personal influence, of the University of Virginia, which began its operation in 1825; and, as to an effective system of primary education, was carried into successful operation in 1870.

6. The mitigation of the penal laws by proposing to confine the death penalty to treason

and murder, and to punish the lesser felonies by hard labor upon the public works, which he was afterward satisfied should be substituted by solitary confinement and labor in prison, so that indirectly, under his influence, the penitentiary system was inaugurated in 1796.

"His marvellous success in the framing of laws is illustrated in the law of descents. That statute abrogated wholly the common law canons of descent, and substituted therefor an entirely new system applicable to every possible case that can happen, and controlled by new analogies, and yet so clear was its framer's perception of his own scheme, and so lucid his language, that, after the lapse of more than a hundred years, only one serious controversy as to its meaning has arisen, and probably none other will ever arise; whilst, as if to be a foil to Mr. Jefferson's perfection of thought and expression, two additional sections incorporated in 1792, by a less skillful hand, have provoked repeated litigation."